

CHAPTER NO. 692

SENATE BILL NO. 2252

By Ford

Substituted for: House Bill No. 2231

By Lois DeBerry

AN ACT To amend Tennessee Code Annotated, Title 29 and Title 48, Chapter 58, relative to immunity from suit for nonprofit organizations and individuals that sponsor charitable fundraising events.

WHEREAS, The General Assembly finds and declares that the services of nonprofit organizations and philanthropic individuals who sponsor charitable fundraising events are critical to the efficient conduct and management of the public and charitable affairs of the citizens of this state; and

WHEREAS, Such nonprofit organizations and philanthropic individuals must be permitted to operate without concern for the possibility of litigation arising from such events; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, is amended by adding the following language as a new, appropriately designated section:

IF any philanthropic individual; cooperative, corporation, club, association or organization; or director, trustee or member of the governing body of any such cooperative, corporation, club, association or organization; supplies only financial sponsorship or support for another entity's charitable fundraising event and is not, in any way, involved in the management, organization, planning or execution of such event, **and if** the entity managing, organizing, planning or executing such charitable fundraising event provides liability insurance in an amount not less than one million dollars (\$1,000,000) for any single occurrence and three million dollars (\$3,000,000) for all occurrences of personal injury or property damage arising from such event, **then** such individual, cooperative, corporation, club, association, organization, director, trustee or member shall not be liable for any personal injury or damage to property arising from the other entity's charitable fundraising event. However, **if** such financial sponsorship or support constitutes willful, wanton or gross negligence, **then** such immunity from suit shall not attach.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2002, the public welfare requiring it.

PASSED: April 24, 2002



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 1st day of May 2002



DON SUNDQUIST, GOVERNOR